

Generations Invigorating Volunteerism and Education Act, or the GIVE Act

H.R.2857 [110th]

Generations Invigorating Volunteerism and Education Act, or the GIVE Act - Amends the National and Community Service Act of 1990 (NCSA) and the Domestic Volunteer Service Act of 1973 (DVSA) to revise their programs and reauthorize appropriations for them through FY2012.

Title I: Amendments to National and Community Service Act of 1990
- Revises under the NSCA: (1) the School-Based and Community-Based Service-Learning programs and Higher Education Innovative Programs for Community Service, also known as Learn and Serve programs; (2) National Service Trust programs, also known as AmeriCorps; (3) the Civilian Community Corps Demonstration program; and (4) the Investment for Quality and Innovation program.

Subtitle A: Amendments to Subtitle A (General Provisions)
- (Sec. 1101) Adds to NSCA purposes: (1) providing year-round opportunities in service-learning; (2) involving citizens in emergency and disaster preparedness, relief, and recovery; (3) increasing service opportunities for retiring professionals; and (4) encouraging service by Baby Boomers and continued service by national service alumni.

Expresses
the sense of Congress that the number of participants in AmeriCorps, Volunteers in Service to America (VISTA), and NCCC should grow to 100,000 by 2012.

(Sec. 1102) Adds definitions of approved summer of service positions, the baby boom generation, disadvantaged youth, grantmaking entities, Hispanic-serving institutions, historically Black colleges or universities, qualified organizations, and tribally controlled colleges or universities.

Subtitle B: Amendments to Subtitle B (Service-Learning)
- (Sec. 1201) Revises the School-Based programs for elementary and secondary school students (part of the Learn and Serve programs) to

eliminate the current competitive grant portion of such programs. Requires the Corporation for National and Community Service (Corporation) to allocate appropriated funds to states, after reserving from 2% to 3% for Indian tribes and territories, pursuant to a formula that takes into account a state's share of school age youth and funds received under title I of the Elementary and Secondary Education Act of 1965.

Authorizes new Summer of Service programs, within School-Based programs, under which students who will be entering grades 6 through 12 at the end of the summer and complete 100 hours of community-based service learning summer projects become eligible for an educational award of up to \$500 from funds deposited in the National Service Trust. Permits the Corporation to increase the award to not more than \$1,000 for economically disadvantaged participants. Allows participants to earn a maximum of two summer of service educational awards.

Requires the Corporation to reserve up to 3% of the funds provided for Learn and Serve programs to award competitive grants to partnerships between local educational agencies (LEAs) and community partners for new programs that encourage civic engagement by students in service learning under the school-based programs.

Increases from 5% to 6% the limit on the use of program funds for administrative costs.

Turns the School-Based programs into competitive grant programs for any fiscal year for which less than \$20 million is appropriated for them.

Eliminates the current Community-Based Learn and Serve programs.

(Sec. 1202) Revises the Higher Education Innovative programs (part of the Learn and Serve programs) that award grants to institutions of higher education (IHEs) and partnerships of IHEs and nonprofit organizations for the provision of community service-learning opportunities to postsecondary school students.

Allows the use of grant funds for the inclusion of service-learning as a key component not only of preservice teacher education, but also for education in health care, criminal justice, and public policy and public administration.

Directs the Corporation, to the extent practicable, to give special consideration to applications submitted by predominantly Black institutions, historically Black colleges and universities, Hispanic-serving institutions, and tribal colleges and universities.

Requires that grantee IHEs meet the minimum requirement set by the Higher Education Act of 1965 regarding the participation of federal work-study students in community service activities.

(Sec. 1203)
Establishes a new Learn and Serve program, Innovative Service-Learning Programs and Research, providing matching grants to states, nonprofit organizations, territories, Indian tribes, and IHEs to: (1) provide community service-learning opportunities to elementary and secondary, college, and graduate students; and (2) research and evaluate service-learning.

Includes among allowable grant activities: (1) integrating service-learning programs into science, technology, engineering, and mathematics (STEM) curricula; (2) service-learning programs focused on energy conservation, emergency and disaster preparedness, improving access to computers and other emerging technologies; and (3) involving high school age youth in the mentoring of middle school students.

Gives funding priority to programs that: (1) involve students and community stakeholders in their design and implementation; (2) operate in low-income or rural communities; and (3) utilize adult volunteers, including retired or retiring adults.

Subtitle C: Amendments to Subtitle C (National Service Trust Program)
- (Sec. 1301) Revises the National Service Trust (AmeriCorps) program

to: (1) include territories as eligible grant recipients; (2) prohibit the provision of grants to federal agencies; (3) increase from 5% to 6% the limit on the use of program funds for administrative costs; (4) set the federal share of program costs at 76% for a recipient's first three years, with gradual reductions in such share until it reaches 50% in year 10, though an alternative match schedule is established for programs in rural or severely economically distressed communities; and (5) require grant recipients to report any non-Corporation federal funding for their program.

(Sec. 1302) Includes among eligible AmeriCorps programs: (1) an E-corp program increasing community access to technology; (2) a program engaging citizens in public safety, health, and emergency preparedness services; (3) a youth mentoring program; and (4) a program to reduce recidivism by re-engaging court-involved youth.

Requires the Corporation to reserve up to 3% of AmeriCorp funding to award competitive grants for the development of innovative programs addressing the unique need of veterans.

Requires national service programs that provide tutoring to elementary and secondary school students to: (1) certify that tutors have either obtained their high school diploma or passed a proficiency test and successfully completed pre- and in-service tutor training; and (2) offer high quality curricula that meet state academic content standards.

Requires national service programs that promote citizenship and civic engagement to meet requirements, to be established by the Corporation, that are consistent with the principles on which the U.S. Citizenship and Immigration Services' citizenship programs are based.

(Sec. 1303) Allows the Corporation to approve programs carried out by territories as national service programs that include education awards.

(Sec. 1305) Increases the minimum and maximum grant the Corporation may make to states to operate State Commissions on National and Community

Service. Imposes state matching requirements that are based on the size of the grant.

Requires challenge grants for national service programs to be completely matched by private funds for an initial three-year grant period and matched by private amounts that are twice the grant amount thereafter. Allows the Corporation to permit the use of state or local funds as matching funds if private funds are unavailable.

(Sec. 1306) Requires 37.5% of the AmeriCorps funds allocated by the Corporation to be for state formula grants, 37.5% for state competitive grants, 23% for national competitive grants to nonprofit organizations, 1% for Indian tribes, and 1% for territories. Establish a minimum state formula grant of \$600,000.

(Sec. 1307)
Establishes the Education Awards Only program, as part of the AmeriCorps program, allowing the Corporation to provide operational support to programs that have approved national service positions but do not otherwise receive AmeriCorps funds. Limits operational support to \$600 per program participant, or \$800 per participant for programs serving at least 50% disadvantaged youth.

(Sec. 1311) Requires
the Corporation to place special emphasis on disadvantaged youth when selecting individuals to receive national service leadership training.

(Sec.
1313) Reduces the national service living allowance by the amount of the federal work study award provided to individuals during their national service.

Subtitle D: Amendments to Subtitle D (National Service Trust and Provision of National Service Educational Awards)
- (Sec. 1401) Permits the Corporation to use National Service Trust funds to pay for the new Summer of Service educational awards authorized under subtitle B of this Act.

(Sec. 1402) Prohibits individuals from receiving a national service educational award from the Trust if they complete less than 15% of their required term of service.

Limits an individual's receipt of such awards to the aggregate value of two national educational awards for full time service; but excludes Summer of Service educational awards from such calculation.

(Sec. 1403) Increases such award for full-time service by \$100 each year beginning in FY2008, when it stands at \$4,825, until FY2012, when the award reaches \$5,225.

(Sec. 1404) Permits use of such award to cover the costs of enrolling in educational institutions or, in the case of summer of service participants, enrolling in college preparatory programs.

Subtitle E: Amendments to Subtitle E (National Civilian Community Corps) - (Sec. 1502) Renames the Civilian Community Corps Demonstration program as the National Civilian Community Corps (NCCC) program. Permits the NCCC to operate nonresidential programs.

(Sec. 1503) Makes individuals eligible for participation in the NCCC program, other than the summer program, if they will be at least 18 before the end of the calendar year in which they enroll.

Requires the NCCC Director to ensure that at least 50% of program participants are disadvantaged youth by 2010.

(Sec. 1504) Requires, to the extent practicable, that at least 50% of the participants in the NCCC summer program are from economically and ethnically diverse backgrounds, including youth who are in foster care.

(Sec. 1505) Requires the Director to select Corps members with prior supervisory or service experience to be team leaders within NCCC units. Requires assignment of units to campuses, rather than camps, which shall be headed by campus directors, rather than camp superintendents.

Requires campus locations to be cost-effective (as determined by a feasibility study), and distributed in a manner that allows Corps units to be easily deployed for disaster and emergency response.

(Sec. 1506) Requires the Director to ensure, to the extent practicable, that each NCCC participant receives training in cardiopulmonary resuscitation (CPR), first aid, and other skills related to disaster preparedness and response.

(Sec. 1507)
Places a specific emphasis on NCCC projects that support infrastructure improvement, disaster relief and recovery, the environment, energy conservation, and urban and rural development. Specifies additional federal agencies required to develop NCCC project proposals.

(Sec. 1509) Makes the Chief Executive Officer (CEO) of the Corporation, rather than the NCCC Director, responsible for appointing a permanent cadre of NCCC supervisors and training instructors. Requires such cadre to receive training in working with disadvantaged youth.

(Sec. 1512) Expands the NCCC Advisory Board to include the Administrator of the Federal Emergency Management Agency (FEMA), the Secretary of Transportation, the Chief of the United States Forest Service, the Administrator of the Environmental Protection Agency (EPA), and the Secretary of Energy. Includes among the Board's activities helping to coordinate activities with the Corps, including disaster response activities.

(Sec. 1513) Requires the NCCC to report the annual evaluation of its programs to Congress.

Subtitle F: Amendments to Subtitle F (Administrative Provisions)

- (Sec. 1602) Prohibits national service programs from existing solely to refer individuals to federal assistance programs or state assistance programs that receive federal funding.

(Sec. 1603) Alters

hearing and grievance procedures to: (1) allow the emergency suspension of national service assistance to grantees for up to three 30-day periods; and (2) require all grantees, not just states and localities, to establish grievance procedures.

(Sec. 1604) Requires grantees

that serve children to consult with parents when developing or operating their programs, and obtain written permission from parents when transporting minor children.

(Sec. 1605) Adds to the

duties of State Commissions on National and Community Service in preparing national service plans for their states, to include such duties as developing measurable state goals and coordinating outreach to diverse communities with the Corporation's Office of Outreach and Recruitment.

Requires states to develop comprehensive state plans for volunteer and paid service by members of the Baby Boom generation and older adults.

(Sec. 1606) Requires the

Corporation to: (1) establish performance measures for national service grantees in consultation with such grantees; and (2) provide technical assistance to failing grantees who have received assistance for less than three years.

Requires national service grantees to reach agreements with the Corporation on corrective action plans if they fail

to achieve such measures. Provides for the reduction or termination of assistance to grantees who continue to fall short of performance standards after an agreed upon correction period.

Allows the Corporation to reserve 1% of the total NCSA and DVSA program funds appropriated in a fiscal year for program accountability activities.

(Sec. 1609) Entitles the Inspector General of the Corporation to access to the records of grantees under the NCSA.

(Sec. 1610) Requires the Corporation to consolidate or modify application procedures and reporting requirements for programs funded under the national service laws.

Allows funds authorized under the national service laws to be used to attend meetings or conferences that will contribute to improved conduct, supervision, or management of the programs.

Limits the Corporations national service grants to three years, unless a different term is specifically authorized.

Limits Corporation grants for national service programs to \$16,000 per full-time national service position, with adjustments for inflation.

Subtitle G: Amendments to Subtitle G (Corporation for National and Community Service)
- (Sec. 1701) Allows voting members of the Corporation's Board of Directors to serve for one year beyond the expiration of their term if no successor is appointed or until the date on which a successor has taken office.

(Sec. 1702) States that it is the Board's

responsibility to set overall policy for the Corporation. Requires the Board to review the CEO's budget proposal in advance of its submission to the Office of Management and Budget (OMB), and review the CEO's performance annually.

(Sec. 1703) Requires the Corporation's CEO to: (1) submit a plan to the Board for reaching the goal of 50% full-time approved national service positions by 2010, and issue reports on actions taken to attain such goal; and (2) obtain the opinions of peer reviewers in evaluating applications to the Corporation for assistance.

(Sec. 1704) Allows the Corporation to enter into personal services contracts for national service research, evaluation, and public awareness activities.

(Sec. 1705) Allows the Corporation to solicit and accept the donation of services from individuals or organizations.

(Sec. 1706) Establishes an Office of Outreach and Recruitment within the Corporation, the duties of which include: (1) increasing public awareness of the wide range of service opportunities for all citizens; (2) identifying and implementing recruitment methods that increase the diversity of national service participants and program sponsors; and (3) identifying and implementing recruitment strategies and training programs for bilingual volunteers in the DVSA's National Senior Service Corps.

Allows the Office to solicit funds to support its outreach and recruitment efforts.

(Sec. 1707) Requires the Corporation to study national service programs for veterans to identify how existing programs could better serve veterans and veterans' service organizations, and then implement a pilot program based on the study's findings.

Subtitle H: Amendments to Subtitle H - (Sec. 1802) Repeals the Military Installation Conversion Demonstration programs and the Special Demonstration Project in Alaska.

(Sec.

1803) Establishes a new part, within the Investment for Quality and Innovation program, authorizing the Corporation to award matching grants to support innovative and model programs, such as those: (1) for disadvantaged youth; (2) focused on learning and thinking skills; (3) that engage youth under age 17; (4) that focus on health and wellness; and (5) that reduce recidivism by re-engaging court-involved youth and adults as participants, volunteers, or members. Requires the Corporation to conduct an independent evaluation of such program and widely disseminate the results to the service community.

(Sec.

1804) Replaces the current Clearinghouse program with one that requires the Corporation to provide assistance to entities for the establishment of one or more clearinghouses providing information, research, and training services designed to enhance service-learning and national service programs.

Requires the clearinghouse to collaborate with the Office of Outreach and Recruitment on an alumni network of former national service participants to improve national service programs and encourage alumni service in a Reserve Corps, ready to serve in times of national need.

Subtitle I: American Conservation and Youth Service Corps - (Sec. 1811) Includes territories in Youth Corps programs.

Subtitle J: Training and Technical Assistance

- (Sec. 1821) Creates a new subtitle to the NCSA, consolidating training and technical assistance provisions of the NCSA and DVSA that require the Corporation to provide such assistance to NCSA and DVSA programs. Gives priority to programs where services are needed most, that focus on service opportunities for underserved rural and urban areas, or that seek a service component combining students, out-of-school youth, and older adults as participants providing community services.

Subtitle K: Repeal of Title III (Points of Light Foundation) - (Sec. 1831) Eliminates federal funding for the Points of Light Foundation.

Subtitle L: Amendments to Title V (Authorization of Appropriations)

- (Sec. 1841) Authorizes: (1) \$65 million for Subtitle B's Learn and

Serve programs, including \$10 million for summer of service grants and \$10 million for summer of service education awards, and such sums as may be necessary for FY2009-FY2012; (2) \$485 million for Subtitles C, D, H, and such sums as may be necessary for FY2009-FY2012; (3) \$25 million for Subtitle E's NCCC program, and such sums as may be necessary for FY2009-FY2012; and (4) \$51 million for NCSA administration, and such sums as may be necessary for FY2009-FY2012, including 69% for the Corporation's administrative activities and 31% for financial assistance to State Commissions. Reserves 2.5 percent of the amounts appropriated under Subtitles B, C, and H of Title I of the NCSA and titles I and II of the DVSA for training and technical assistance under Subtitle J.

Title II: Amendments to the Domestic Volunteer Service Act of 1973 - Revises under DVSA: (1) the VISTA program; and (2) the National Senior Volunteer Corps (Senior Corps), including the Retired and Senior Volunteer program (RSVP), the Foster Grandparent program, and the Senior Companion program.

Subtitle A: Amendments to Title I (National Volunteer Antipoverty Programs) - (Sec. 2103) Amends the Vista program under part A of title I of the DVSA to include the Northern Mariana Islands as a recipient of program services.

Adds to the work to which VISTA volunteers may be assigned: (1) drug abuse rehabilitation and treatment; (2) addressing mental illness; (3) the reintegration of formerly incarcerated youth and adults into society; (4) financial literacy and planning programs in low-income communities; (5) before- and after-school programs serving children in low-income communities; (6) community economic development initiatives; (7) assistance to veterans and their families in obtaining access to support services; and (8) health and wellness services to low-income and underserved communities.

Gives priority to the recruitment of disadvantaged youth, low-income adults, and retired professionals, with an emphasis on professionals whose services are most needed in a community.

Authorizes public or nonprofit organizations to pay all or a portion of the costs of supporting the service of VISTA volunteers.

(Sec.

2104) Authorizes new VISTA programs, providing grants for programs of national significance that provide poor and rural communities with: (1) financial literacy and planning; (2) before- and after-school services; (3) community economic development initiatives; (4) assistance to veterans and their families; and (5) health and wellness services.

Requires

that one-third of VISTA funds be used for grants to support programs of national significance, but conditions funding for such programs on the sufficiency of overall funding to maintain the number of VISTA projects and volunteers funded in the preceding fiscal year.

(Sec. 2106)

Establishes a minimum monthly stipend for VISTA volunteers of \$125 and a maximum monthly stipend of \$175, subject to the availability of funds. Allows the Director to provide a stipend of \$250 per month for volunteer leaders.

(Sec. 2107) Eliminates the VISTA Literacy Corps, University Year for VISTA, and Literacy Challenge Grant programs.

Subtitle B: Amendments to Title II (National Senior Volunteer Corps)

- (Sec. 2201) Amends title II of the DVSA to rename the National Senior Volunteer Corps program the National Senior Service Corps (NSSC) program.

(Sec. 2203) Amends the Retired and Senior Volunteer program (RSVP) to eliminate the priority given to RSVP participation by volunteers who are 60 or older and give priority to projects that utilize retired professionals in education, health and wellness, youth crime prevention, public safety, emergency management and relief, and access to technology.

Requires RSVP programs to be designed and implemented with the advice of experts in the field of service being offered, as well as with those who have expertise in the recruitment and management of volunteers.

Requires RSVP grants to be competitively reevaluated after FY2009, with some form of priority consideration given to existing grantees in good standing.

(Sec. 2204) Amends the Foster Grandparent program to lower the minimum age for program volunteers from 60 to 55.

Authorizes providers to determine whether it is in the best interest of the child and foster grandparent to continue their relationship after the child reaches age 21. Requires foster grandparent replacements to be determined through the mutual agreement of all parties providing services to the child.

Increases the stipend provided to low-income foster grandparents to \$2.65 an hour, with one adjustment for inflation before December 31, 2012. Redefines low-income foster grandparents as those whose income does not exceed 200% of the poverty level. Allows the Director to provide a 10% stipend increase to volunteer leaders.

Allows up to 15% of a project's volunteers to have incomes above the income eligibility threshold, if the project was unable to recruit enough low-income volunteers.

(Sec. 2205) Amends the Senior Companion program to lower the minimum age for program volunteers from 60 to 55.

Allows Senior Companions to receive stipends consistent with those authorized under the Foster Grandparents program.

(Sec. 2208) Eliminates restrictions on which programs of national significance the RSVP, Foster Grandparent, and Senior Companion programs may select from.

Requires at least 50% of the grants for programs of national significance to be provided to new program sponsors.

Alters

the list of such programs. Adds to such list programs that support: (1) individuals with Alzheimer's disease; (2) drug abuse rehabilitation and treatment; (3) mentoring for disadvantaged youth; (4) energy conservation and environmental protection; (5) crime prevention activities directed toward disadvantaged or formerly incarcerated youth; and (6) homeland security efforts.

(Sec. 2209) Requires

the Corporation to take the actions necessary to maintain NSSC service assignments for seniors and service continuity for communities.

Allows NSSC programs to accept donations.

(Sec.

2210) Includes as NSSC demonstration programs, those that support individuals aging in place while augmenting the capacity of community members to serve each other through reciprocal service centers, service credit banking, community economic scripts, barter services, timebanking, and other similar programs. Gives priority to demonstration programs that have service experience, serve areas where needs are unmet, and collaborate with other service providers.

Subtitle C: Amendments to Title IV (Administration and Coordination)

- (Sec. 2301) Prohibits volunteer activities under the DVSA from displacing volunteers who are not participants under the national service laws.

(Sec 2302) Eliminates the requirement that a recipient of DVSA assistance receive an informal hearing when an application for refunding is denied. Reduces the notice period for such denial from 75 days to 60 days.

(Sec. 2303) Includes the Northern Mariana Islands in DVSA programs.

Subtitle D: Amendments to Title V (Authorization of Appropriations)
- (Sec. 2401) Authorizes: (1) \$100 million for the VISTA program for FY2008; (2) \$67.5 million for the RSVP for FY2008; (3) \$115 million for the Foster Grandparent Program for FY2008; (4) \$52 million for the Senior Companion program for FY2008; (5) \$500,000 for DVSA demonstration programs for FY2008; and (6) \$35 million for DVSA administration and coordination activities for FY 2008. Authorizes such sums as may be necessary for these programs and activities for FY2009-FY2012.

Title III: Amendments to Other Laws - (Sec. 3101) Makes a technical amendment to the Inspector General Act of 1978.

Title IV: Technical Amendments to Tables of Contents -
(Sec. 4101) Makes technical amendments to the respective tables of contents of the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973.

Title V: Effective Date - (Sec. 5101) Makes this Act effective upon enactment, unless specifically provided otherwise.

(Sec. 5102) Applies changes made by this Act in the terms and conditions of terms of service and other service assignments under the national service laws (including the amount of the education award) only to individuals who enroll or otherwise begin service assignments after 90 days after enactment of this Act, except when otherwise agreed upon by all interested parties.

Applies changes made by this Act in the terms and conditions of grants, contracts, or other agreements under the national service laws only to agreements entered into after 90 days after enactment of this Act, except when otherwise agreed upon by the parties to such agreements.

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